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Concealment, Revelation, and Masquerade in Europe's Asylum Apparatus: Intimate Life at the Border

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ABSTRACT In 2010, a landmark UK Supreme Court case was won on behalf of two gay men, from Cameroon and Iran, whose applications for asylum due to sexual identity had previously been rejected on the basis of a prevailing "reasonable tolerability" concept—that is, the view that gay applicants could conceal their homosexuality by acting discreetly upon [...]

In 2010, a landmark UK Supreme Court case was won on behalf of two gay men, from Cameroon and Iran, whose applications for asylum due to sexual identity had previously been rejected on the basis of a prevailing "reasonable tolerability" concept—that is, the view that gay applicants could conceal their homosexuality by acting discreetly upon return to their countries of origin. Such "discretion" would, of course, necessitate precisely the opposite of the performances of self that have been required in refugee determinations based upon sexual persecution, wherein the evidencing of homosexuality affords applicants little personal privacy.

Ironically, reports of intrusive and degrading demands for self-revelation have become more high profile since the 2010 ruling, implicating the UK border agency in a culture of suspicion regarding the evidencing of an applicant's homosexuality. For heterosexual asylum seekers and adjudicated refugees, meanwhile, the surveillance of intimate life is also becoming more stringent. A 2016 report from an irregular migrant camp in Dunkirk, France highlighted the plight of two men, both naturalized British citizens and former refugees, who have been prevented from bringing their wives and children to the UK because they do not meet the income threshold set under the border agency's family visa categories.[1] Investigations of suspected "sham" marriages have increased sharply in the UK,[2] while in Germany, some citizen activists have entered into "protective marriages," risky acts of purportedly ethical deception to prevent an asylum seeker's deportation.[3] These examples signal the extent of the EU's asylum apparatus' encroachment into the personal lives of those who are compelled and instrumentalized by its visa-granting capacities. They also reveal something of a contradiction concerning official validation of sexual and/or family life: such validation may derive from traits held to be ontological or attainable, meaning that refugee applicants can find themselves constructed by models of identity that are alternately intrinsic or presentational. Both models, however, prove to be *performative*.

Some of the fraught dynamics and optics of this performativity are highlighted in two recent artistic works, both concerned with forced migration: a British solo play, *Nine Lives* (2014), and an Italian documentary film, *On The Bride's Side* (2014). I want to situate these works in the context of EU asylum mechanisms in order to elucidate the ways such structures and the wider social and representational nexuses in which policy is embedded

legislate (in the fullest sense of the word) performances of sexual orientation and marital status. Considered together, *Nine Lives* and *On The Bride's Side* are suggestive of a peculiar oscillatory tension between concealment, self-revelation, and masquerade as embodied tactics for leveraging justice in the context of migrant belonging. Distilled in the play and the film, these tactics articulate to larger questions about refugee "appearance" and to the way European asylum jurisdictions and social topographies are set up to adjudicate performances of intimate or private life. In *Nine Lives*, a solo piece about a gay Zimbabwean asylum seeker's experience in the UK, the necessity to prove homosexuality is shown to demand intrusive representations of self, whilst the sociality of resettlement produces various forms of self-concealment, along with moments of self-revelatory drag. In *On the Bride's Side*, a documentary about a group of citizen activists and asylum seekers who undertake a journey from Milan to Stockholm, bridal-party masquerade facilitates the irregular crossing of European borders, in the process showing up the effects of hyper-heteronormative appearance. Both play and film bring to the fore some of the ways performances of normative and non-normative identities generate appearances conditioned by Europe's evidence-obsessed immigration jurisdictions, in the process gesturing to just how far the intimate selves of noncitizens have been commandeered for the public interest.

Asylum claims that rest on personal or intimate life, whether in relation to homophobic persecution or to partner and family unification, are difficult to secure. Under EU law, a threshold must be met to constitute persecution of homosexual asylum applicants. In 2013, the Court of Justice of the European Communities upheld a 2004 directive by confirming that "the criminalisation of homosexual acts per se does not constitute an act of persecution. However, a term of imprisonment which sanctions homosexual acts and which is actually applied in the country of origin which adopted such legislation must be regarded as being a punishment which is disproportionate or discriminatory and thus constitutes an act of persecution."[4] Claiming asylum on the basis of persecution for homosexuality often falls under the "Particular Social Group" category of the 1951 UN Refugee Convention, but the UK Home Office's current Asylum Policy Instruction on "Sexual Identity Issues in the Asylum Claim" (2015) explains that persecution in sexual identity cases can intersect with and be concurrent with any of the Convention's other grounds for persecution: race, religion, nationality, political opinion.[5] The 2010 Supreme Court case rested on a distinction between intrinsic and presentational selfhood and the applicants' representatives successfully argued that the latter could not supersede the former: that concealing one's homosexuality was not reasonable or tolerable. One of the judges, Lord Rodger, called attention to what self-concealment as a daily practice might entail, highlighting the "gradations" of curtailment glossed by the prevailing concept of reasonable tolerability:

> It is convenient to use a phrase such as "acting" or "behaving" 'discreetly' to describe what the applicant would do to avoid persecution. But in truth he could do various things. To take a few examples. At the most extreme, the applicant might live a life of complete celibacy. Alternatively, he might form relationships only within a circle of acquaintances whom he could trust not to reveal to others that he had gay relationships. Or, he might have a gay partner, but never live with him or have him to stay overnight or indulge in any display of affection in public. Or the applicant might have only fleeting anonymous sexual contacts, as a safe opportunity presented itself. The gradations are infinite.[6]

As well as espousing the view that sexuality is intrinsic to one's being in the world, Lord Rodger further proposed a conflation of sexuality with race insofar as both, he claimed, are to be understood as innate characteristics:

> No-one would proceed on the basis that a straight man or woman could find it reasonably tolerable to conceal his or her sexual identity indefinitely to avoid suffering persecution. Nor would anyone proceed on the basis that a man or woman could find it reasonably tolerable to conceal his or her race indefinitely to avoid suffering persecution. Such an assumption about gay men and lesbian women is equally unacceptable. Most significantly, it is unacceptable as being inconsistent with the underlying purpose of the Convention since it involves the applicant denying or hiding precisely the innate characteristic which forms the basis of his claim of persecution […][7]

The case was decided on the basis of what was deemed unreasonable requirements for feigned performances of identity. The view that sexuality is empirical or ontological in the same way as race (and *both* such assumptions are problematic) sits uneasily alongside the markedly ideological and discursive methods as well as cultural referents used to determine sexuality in asylum cases.

Even as it rejected the notion that sexuality may reasonably be concealed or exposed by choice, the 2010 judgment has been followed by several high profile cases that have rested upon the capacity of an applicant to *perform intrinsic homosexuality* to the satisfaction of caseworkers, in order to evince a well-founded fear of persecution.[8] Reports of humiliating interview techniques during asylum determination processes have attracted significant media attention in the UK in recent years. In 2014 the Home Office undertook an internal review after MPs found that asylum seekers were being asked to present sexually explicit photographs of themselves in order to prove their homosexuality.[9] This came in the wake of global petitions and pressure from MPs highlighting the degrading treatment of LGBT asylum seekers in their interviews with Home Office caseworkers.[10] The absurdity of certain performances of self demanded by the Home Office was picked up on in 2015 in a sarcastic piece in UK tabloid the *Mirror*, which invited readers to take an online quiz to generate a personalized answer to the question, "Does the Home Office Think You're Gay?"[11] In her analysis of how "deportation as a state of emergency structures the queer migration narratives" of lesbian asylum seekers, Rachel Lewis discusses the UK case of a lesbian asylum seeker from Uganda, Brenda Namigadde, whose homosexuality came under suspicion due to her lack of interest in lesbian magazines and other queer cultural production, but who was granted a stay of deportation in 2011 after intense media attention.[12] Lewis notes that the resulting "*Brenda Namigadde Effect* […] set a new legal precedent for perceived homosexuality as grounds for political asylum in the United Kingdom.[13]

Despite such victories, worst-outcome scenarios have not been avoided. One of the most high profile in recent years, that of lesbian asylum seeker Jackie Nanyonjo, who was deported to Uganda in 2014 after failing to convince UK immigration authorities that she faced persecution because of her sexuality, points starkly to the limit capacity of border mechanisms to be necropolitical or death-producing; Nanyonjo was injured during her deportation and died eight weeks later, in hiding from Ugandan authorities as a known gay activist.[14] A UK Parliament Home Affairs Committee memorandum on this and similar cases of "enforced removal" implicated the border agency's deportation subcontractor, Tascor, in Nanyonjo's demise: "[a]lthough JN resisted, the removal was carried out with the guards applying restraining techniques and an excessive use of force. Having landed in Uganda, the escort handed JN over to the Ugandan authorities, who held her for many hours and made it impossible for her to receive medical attention."[15] The ongoing UK case of Nigerian lesbian asylum seeker and LGBT rights activist, Adejumoke Apata has rested upon an initial determination in 2013 that her sexuality was fabricated and that her previous relationship with a man as well as her being a mother placed her

outside the social group of "lesbian." The case, for which Apata submitted photographs and a DVD as evidence of her sexual life, rested on an intrinsic and non-volitional understanding of sexuality and the view that Apata had, apparently, chosen. The Home Secretary's barrister, Andrew Bird, stated "[y]ou can't be a heterosexual one day and a lesbian the next day. Just as you can't change your race."[16] In 2015 Apata's appeal was rejected in the High Court.

The Home Office's latest Asylum Policy Instruction on "Sexual Identity Issues in the Asylum Claim" (2015) has sought to address controversies surrounding the nature of status determinations in sexuality-related asylum cases. The instructions plot finely nuanced distinctions as a roadmap for balancing a "shared burden"[17] of proof between the necessity for applicants to submit to detailed evidentiary self-revelation and the requirement for caseworkers to avoid undue instigation. Section 4.5, "Considering self identification as lesbian, gay or bisexual" states:

> A detailed account of someone's experiences in relation to the development and realisation of their sexual identity can help to establish their credibility by establishing how and when they realised that they were of that identity. It is therefore important to establish the range of life experiences that may have informed or affected an individual's sexual identity or how they are perceived. Caseworkers must, however, test the evidence submitted and explore assertions made at interview.[18]

Section 4.8, "Responding to issues around sexually explicit narratives" is clear that caseworkers should concentrate on explicating persecution or fear thereof resulting from sexual activity and not the activity itself:

> Home Office policy is clear – **detailed questioning about claimants' sexual practices must not be asked and there are no circumstances in which it will be appropriate for the interviewer to instigate questions of a sexually explicit nature**. This includes questions about explicit sexual activity or physical attraction. Caseworkers must not ask for or seek such information. It is sufficient only to record such narratives. However, where such narratives present credibility concerns with earlier disclosures, caseworkers should explore these to seek clarity. This applies only to the events around the reported sexual activity, not the activity itself.[19]

The bureaucratic propriety contained tonally within this document sits alongside (and is meant in large part to address) the reported inappropriateness and even prurience of some of the face-to-face practices it scaffolds. The disjunction between these two arms of state power—the written word and the embodied encounter—underscores observations made by former Archbishop of Canterbury Rowan Williams in his 2015 Orwell Lecture, "War, Words and Reason: Orwell and Thomas Merton on the Crises of Language." Here Williams sought to diagnose something about the way power works through a particular kind of language, a "bureaucratic redescription of reality" that ultimately blocks response: it is, he argued, "language that is designed to be no-one's in particular, the language of countless contemporary manifestos, mission statements and regulatory policies, the language that dominates so much of our public life, from health service to higher education. This is meant to silence response."[20] Despite such carefully worded directives as those contained in the abovementioned Asylum Policy Instruction, the conglomerated implication of it *and* the 2010 Supreme Court judgment *and* publicized LGBT asylum cases seems to be an insistence that homosexuality *cannot reasonably be concealed* by means of behavior, but that its ontology *might also be questioned* on the same performative basis.

For adjudicated refugees attempting to reunify their families (partners[21] and children under 18), administratively compelled performances of private life also demand personal revelation, albeit less explicitly concerned with sexual activity. The right to family reunification for refugees is established in a 2003 EU Directive, but EU member states apply the directive differently with respect to evidence thresholds, timeframes within which applications must be made, and place of application. Because family reunion applications can usually only be made by status refugees, asylum seekers may remain ineligible to apply for months or years until their cases are decided. In a report by the Refugee Studies Centre (Oxford) in September 2014, Cynthia Orchard and Andrew Miller explain that while most EU nations have provisions for family reunification for refugees, practical challenges including a "lack of documentation and difficulties for family members in accessing European embassies"[22] intervene in the consistent application of the principle. They add that ad hoc responses to the current crisis in Europe have had mere transitory effects; for example, Switzerland's implementation in September 2013 of an expanded family reunification programme for Syrians was cancelled in November of the same year.[23]

In the UK, reunion for refugee applicants is an onerous process; Scottish solicitors Drummond Miller recently reported an increase in requests for DNA evidence to satisfy the Home Office of a genetic relationship with a child, even where birth certificates have been provided.[24] Here biological ontology manifests a biocultural function. When a refugee has been granted citizenship through naturalization, the demand for proof shifts to financial means: minimum income thresholds are implemented in Denmark, the Netherlands, Norway, Germany and the UK, where a £18,600 minimum income threshold for spouse and partner visas is made even more burdensome by the addition of substantial increments for each dependent child. Here partners are administratively transformed into "sponsors," children into "dependents." I referred at the start of this essay to the cases of naturalized British citizens, both former refugees, residing in the squalid conditions of Dunkirk's irregular migrant camp who have been prevented from bringing their wives and children to the UK because they do not meet the UKBA's income threshold for partner visas. This situation articulates up to a point with the border agency's long-standing culture of suspicion regarding "bogus" marriages—of which I will say more below—but here, a lack of financial means forecloses even the opportunity to prove the genuineness of a relationship. The UK government's implementation of the minimum income threshold for spouse and partner applications has been widely criticized as unreasonable and punitive outside the sphere of asylum.[25] What it implies in any case is that when it comes to the state's intervention into the intimate life of noncitizens, monetary restrictions enact the closure of the border space in which representations of a relationship's legitimacy as intimate partnership would occur.

The two artistic works that I discuss below bring to the fore questions about how migrant performativity-for-the-state manifests and how asylum seekers might become agentive within the law's defining frameworks, and/or those of wider society. Over recent years, theatre, performance, and literature scholars have traced the ways asylum seekers are required to present persuasive, consistent and verifiable narratives of persecution during asylum application processes, noting how such narratives inform, sometimes problematically, artistic representations of and by refugees.[26] There is not a great deal of performance scholarship on the specificity of self-presentation required by LGBT asylum seekers in western immigration jurisdictions, but such cases are of particular concern given the risk that self-presentation will be intrusive and potentially degrading in a most intimate way. And as I have indicated, the positive developments over recent years, which include the 2010 UK Supreme Court case, and the United States' moves to recognize the rights of LGBT asylum seekers,[27] may do little to ameliorate the risk that the stringent

evidentiary paradigms under which asylum cases are heard intensify the spotlight cast upon the supposed ontology of applicants' sexualities.

In the context of partner-related migration, recent Freedom of Information (FoI) requests in the UK regarding "sham marriages" hint both at migrant tactics in this context and at how the codified private sphere of marriage is morally invested as matter of public interest and surveillance.[28] A 2014 FoI request lodged by British tabloid the *Daily Express* revealed a sharp increase in enforcement visits over sham marriages (from 204 visits in 2010 to 2,488 in 2014).[29] While this paper's report adopted a tone of migrant-related moral panic, a similar FoI request by the *Huffington Post UK* drew different conclusions from the rise in enforcement visits, quoting immigration barrister Colin Yeo, who cautioned that "genuine marriages were being disrupted," and in light of the finding that 74% of cases were reported by suspicious registrars (compared to 27.4% in 2010), and contended that "[r]egistrars are too quick to report relationships that are unconventional or that do not fit their model of expectations."[30] In 2013, as part of a Home Affairs Committee enquiry into sham marriages, oral evidence from the Superintendent Registrar at Oxford Register Office offered a peculiar and distinctly theatrical explanation for how she detects inauthentic intimacy: "[i]f you're a genuine couple you don't expect to see them throw themselves over each other, but in our reception area sometimes those couples are slightly too amorous, where you don't need to be if you're a genuine couple."[31] Once again, we can perceive migration law (and not just asylum) as a domain of intimate and closely-watched performances for the state and its agents.

Nine Lives

One of the first scenes in the solo work *Nine Lives* by Zimbabwean British playwright Zodwa Nyoni explodes with biodynamism: asylum seeker Ishmael sprints desperately fast as a roiling soundscape of an agitated crowd and accelerating drumbeat seem to spur him on. Actor Lladel Bryant appears close to toppling forward as he moves faster and faster on the spot in a small space at north east London's Arcola Theatre, where I saw this work. The embodied motif encapsulates a familiar image of refugeeness defined by the inexorable onward trajectory, but here the propulsive energy is startling, and seems to proffer some of its urgency to the silent, seated bodies in the audience. Nyoni's six-scene play, a monologue with sections of single-actor duologue, premiered at the West Yorkshire Playhouse in 2014 and received its London premiere at the Arcola in 2016. On both occasions Alex Chisholm directed.

Play text and production accumulatively emphasize the coding of bodies and suggest ways in which seeking asylum institutes particular ways of taking up space and making place. Much of this occurs wordlessly. Early in the piece, Ishmael, who has travelled from Zimbabwe to England, improvises a homely zone out of his temporary accommodation, blowing dust from a small section of floor before carefully laying his coat down on it. His fastidiousness in even the poorest of conditions fleshes out dimensions to his character that are subtly counterweighted by the anonymous genericism of his clothing: a light Adidas jacket, loose-fitting jeans and blue-laced Everlast trainers conglomerating him with the global capitalism that has become integrated into so many millions of bodies. Ishmael's possessions are carried in a plastic suitcase that remains on stage for the duration. It contains a strange collection of items that delineates a fragmented lifeworld: a posed photograph of the young family of an Iranian asylum seeker, Cyrus, with whom Ishmael is housed in the UK for a while, a wooden beaded keepsake, a toy car, a pair of stiletto heels.

If the concealment of sexual orientation was, in the wake of the UK's 2010 Supreme Court decision, deemed an unreasonable burden to place upon asylum seekers, *Nine Lives* shows how, in the delicate and distressing acclimation of resettlement, concealment may remain a performative strategy for gaining acceptance. Ishmael attempts to "play straight" in order to preserve a burgeoning friendship with local Leeds woman Bex, a young mother who has been recently abandoned by her child's father. For all her troubles, Bex represents a form of transparent normativity that Ishmael (pretending to be the straight "Sam") finds himself drawn to, even if he soon runs from the charade. Within the framework of Bryant's solo performance, the brash Bex ultimately manifests as a phantom, only ever coming into the audience's field of vision indirectly when Ishmael "enacts" her (which he does in a vivid, exaggerated style that generates audience laughter). When recounting Bex's ends of particular conversations, Ishmael employs petulantly camp mannerisms. These constitute moments of cross-gender imitation (that are related to but distinct from cross-gender performance, given that Ishmael is recollecting on stage and therefore always "himself") and also work as theatrical signifiers of Ishmael's gay identity: in his *being himself being Bex* the audience comes to recognize Ishmael within stereotypical parameters of gay male enactment. His mimicry of his young female friend embodies a campness that can read as "accurate" in theatrical performances of gender, especially when such performances intersect with comic renderings of working class manners or mores. Here, Ishmael's performances as Bex are part of a performative competence conventionally associated with homosexual men. After a period of four months, and shortly after receiving a rejection letter from the Home Office, Ishmael reinitiates contact with Bex, introducing himself for the first time as Ishmael. Apologizing for his deception, he tries to articulate to her what it would mean for him to be at home in a space: "I know you don't think it's much, but I would rather have this park, this place as it is now as my own. At least then I can hold it. Waiting to be allowed to live is like flickering in and out [of] existence" (28). Bex's droll response is to extend a hand of friendship: "Hiya, Ishmael. Nice nice to meet yah, I mean properly yah."[32]

Narratively, *Nine Lives* presents Ishmael's oscillation from compelled self-revelation in the context of his asylum case, to his self-concealment in the context of meeting new people in Leeds, to his testing out of what a British gay identity might look and feel like. This latter context brings about a theatricalized coding of homosexuality that involves further ghosting of cross-gender performance. Ishmael's experience at a Leeds gay club is recalled in fragments of emotional memory and embodied in terms of liberating personal transgression as he carefully swaps his Everlast trainers for tall, sparkling stilettos (figure 1). He walks tentatively in the heels, incongruous beneath his loose jeans, getting a feel for new parameters of identity and gendered performance. He meets a drag queen who makes him feel differently human: "[i]t is more than I have ever seen. He, she, takes me by the hand. She tells me to dance, to let go. I'm awkward. Is this what it feels like to not be afraid? Is this what freedom feels like?…She leans in and speaks in a language that is only made for us."[33] The scene generates a rather stereotypical conflation of cross-gender performance with homosexual identity formation, but its function as a moment in which Ishmael must symbolically and literally find his feet is nevertheless microcosmic of a non-normative embodied dimension of refugee resettlement, one that remains underexplored in refugee-responsive theatre and film. For Ishmael, the experience, by re-attuning him to his own humanness, becomes self-*revelatory* (an insight), rather than self-*revealing* (an exposure).

Figure 1. *Nine Lives*, Arcola Theatre, London, 2016. Photo credit: Richard Lakos.

Ishmael's hope to make contact with his lover, also a refugee living in the UK, materializes forlornly in the talismanic device of a mobile phone, which connects only to a repetitive voice mail. It is not until the latter half of the play that Ishmael's lover finally answers one of his calls; the audience follows the stalling communication, in which Ishmael is rejected because his lover wants to put behind him the intimate "evidence" that underpinned his own asylum case. Ishmael's coerced transmutation into a body of evidence renders him just more emotional detritus manufactured by the asylum determination process. But *Nine Lives* is shadowed by, rather than based upon, the bureaucratic process itself. In this it differs from Chris MacDonald's 2014 debut, *Eye of a Needle* (Southwark Playhouse, London), in which sexual self-representation in the context of a cynical and Kafkaesque asylum bureaucracy is sharply prominent. (*The Huffington Post* praised this play's representation of "underfunded, understaffed offices: a generic public purgatory that evokes a waiting room, football stand, and death row all at once."[34]) Macdonald's darkly comic portrayal of a pornographic fixation on women's sexual evidence amongst immigration caseworkers draws indirectly on Apata's high profile case. By contrast, in *Nine Lives*, the only reference to intrusive or degrading questioning is Ishmael's embarrassed recollection of being asked by an immigration official "to prove, that I am gay," an interrogation that included the questions, "what does a penis feel like? Why do I like it?"[35] But even here, Nyoni's brevity generates a sense that her character is withholding much more than he is revealing about the questioning he has undergone.

Nine Lives noticeably conveys its Leeds origins (as my formerly Leeds-resident co-playgoers confirmed), and this is in large part due to metatheatrical and extratheatrical elements. While the character of Ishmael speaks with what the stage directions describe as a "Zimbabwean accent"[36] there are numerous sections in which Bryant's characterization of people encountered by Ishmael provides the context for regionally and socially specific resonances, informed by Bryant's own cultural competencies as a Leeds performer. His imitation of the accent and teenage vocal stylistics of young Bex, in particular—whom Bryant chucklingly refers to in a promotional video for the play as "very much a Leeds lass, very comical"[37]—merges with his embodiment of Zimbabwean Ishmael to generate a curious corporeal palimpsest. In this capacity the production, whether by accident or design, avoided straightforward vocal significations of Ishmael's foreignness and enacted affiliations with a Yorkshire place of origin.

In its London staging, where Leeds might have signified another kind of distance, the production tapped into local community organizations and networks that lent it synergistic points of contact with existing stakeholders. The Arcola production

acknowledged LGBT and refugee activist initiatives and generated affiliate events, including a gala night with Ian McKellen, a jam session associated with Platforma Arts and Refugees Network, a music night with musicians from Zimbabwe and a spoken word evening, at which refugee and migrant poet collective "Bards without Borders" performed. The published text of Nyoni's play acknowledges the UK Lesbian and Gay Immigration Group, Platforma Arts and Refugees Network, and City of Sanctuary, as well as Leeds Studio. These kinds of affiliations, platforms and co-leverages are often an important dimension of works like *Nine Lives* that directly address social injustices. Such productions' promoted enmeshments with existing collectives and grassroots initiatives seem implicitly to gesture towards the limits as well as the watermarks that theatrical work can constitute in its capacity as co-instigator of wider social awareness and change. Of course, limits are not the same as shortcomings, and perceiving community or political theatre within its chain-linked contexts can be a way of comprehending such theatre's multi-functionality: its event-quality (as, among other things, the intensification of imaginative and emotional capacities) working in conduit with its accumulative and associative function as representation flanked by prior and ongoing engagements. As far as leveraging justice is concerned, then, the potential power of refugee-responsive theatre might most usefully be recognized as embedded dynamically in networks of friends and associates. Such networks are especially meaningful in theatrical endeavors like *Nine Lives*, whose narratives are broadly drawn from and often recognizable to individuals and stakeholder communities for whom access to systems of justice may have been impeded.

On the Bride's Side

I outlined above some of the barriers facing refugees in their applications for reunion with intimate partners, as well as the increasing governmental concern to interrupt "sham" marriages. What happens when the (apparent) ceremonial moment of an intimate relationship's formalization activates other, non-governmental forms of social and cultural responsiveness? When might ceremonial appearance supersede (rather than be caught within) regulatory barriers, and what do such appearances tell us about the ways performances of socially-condoned intimacy intersect with other, non-condonable forms of undocumented border appearance? The 2014 documentary *On The Bride's Side* (in Italian, *Io Sto con la Sposa*, meaning *I'm with the Bride*) takes up the question of how the EU's border machine responds to heterosexual *weddings* (as distinct from partnerships themselves) by harnessing the aesthetics of the white wedding in the moment of attempted border crossing. The film was co-directed by Gabriele del Grande (a journalist), Antonio Augugliaro (a film editor and director), and Khaled Soliman al Nassiry (a poet and editor). It follows a journey that took place in November 2013 from Milan to Stockholm by five asylum seekers, Syrians and Palestinian-Syrians, and the dozen or so friends and associates who facilitated their irregular transit. The asylum seekers entered Europe via the Italian island of Lampedusa, which means that according to the EU's Dublin II regulation,[38] they should have lodged their asylum claims in Italy; but like many asylum seekers, these people have set their sights on Sweden as a nation that offers greater stability and the hope of a productive future. The group decides that their best shot of making the four-day journey from Italy to Sweden without detection is to pretend they are a wedding party. A Palestinian-Syrian activist friend (who also holds the 'lever' of a German passport) agrees to dress up as the bride, while one of the Syrian asylum seekers plays the part of the groom. The rest feign the roles of wedding guests.

What makes *On the Bride's Side* so interesting and unusual is its politicized and gendered staging of volition, amongst both European and asylum seeker participants. Here volition consists of a series of recorded acts of disobedience that carry the risk of criminal

prosecution for the European "traffickers," as they subversively call themselves, and of deportation for the asylum seekers. The filmmakers frame this collective disobedience in terms of heteronormative theatricality and as the re-making of community bonds across increasingly divided Mediterranean zones. An official online synopsis explains that the "journey not only brings out the stories and hopes and dreams of the five Palestinians and Syrians and their rather special traffickers, but also reveals an unknown side of Europe – a transnational, supportive and irreverent Europe that ridicules the laws and restrictions of the Fortress in a kind of masquerade."[39] This kind of affective activism bears similarities with the German "protective marriages" to which I referred at the start of this essay; both are underpinned by impulses of care and responsibility for the wellbeing of noncitizens, and both utilize the capacities conferred by EU citizenship to cloak those without it. But in *On the Bride's Side*, the affective cloaking is an event-based capacity, rather than the kind of status change instituted by a legal marriage, however "bogus" or "protective" it may be. The film's participants are shown readying themselves for the masquerade—scrubbing up for their roles in the fake wedding party, getting haircuts and trying on smart clothes—in order to appear "legitimate" users of civic spaces: restaurants, highways, stations, train carriages, streets, city squares. The journey itself begins at dawn, in front of Milano Centrale station. Several scenes are filmed inside cars as the group travels in convoy, and this contained environment gives rise to both quotidian and intense exchanges in which hopes and fears emerge, engaging the audience via familiar modes of cinematic identification.

Figure 2. On the Bride's Side / Io Sto con la Sposa, 2014. Photo credit: Marco Garofalo.

One sequence traces a physically arduous part of the journey where the group walks across the Grimaldi Superiore, a steep pass from Italy to France (which is also a topographical border) (figure 2). They are received warmly on the other side by friends in a French coastal village, before moving on to Marseille where a lively evening is spent at a restaurant with supportive locals; it is then north through Luxembourg and on to a farmhouse near Bochum in northwest Germany where the group talks politics and plots their final push to Sweden. They continue onwards to Copenhagen, successfully negotiate the increasingly patrolled bridge to Malmo, and finally arrive in Stockholm undetected after a tense train journey. The directors' notes offer some insight into the processes of undertaking art and activism simultaneously:

> A documentary and yet a political act, a real and yet fantastic story; 'On the Bride's Side' is all these things at once. And, right from the start, the hybrid nature of the film dictated a number of specific choices. First of all, there was

> the script treatment: rather than writing dialogues and character parts, we organised the journey on the basis of scenes, imagining situations in which our characters, used to the presence of the cameras, could move freely. The filming, therefore, always had to adapt to the needs of the political act, because we really had to get to Sweden – it wasn't just for the film.…The fact that we were sharing a great risk and a great dream inevitably united us. And this experience also changed our way of seeing things and helped us in the search for a new perception of the border.[40]

People-smuggling is roundly condemned in most rhetoric on asylum and forced migration but in several scenes in the film the audience is privy to late night conversations about strategy, and watches as the group appears to plug into existing and new migrant routes, central to which are the homes of European citizens. Smuggling or trafficking gradually starts to expand its definition to encompass hospitality and assistance. Volition emerges of a kind of disobedient hospitality. There is undoubtedly a utopianism in the way the filmmakers-cum-activists see their intervention into Mediterranean community, but they nevertheless show how effectively alternative transnational networks may be mobilized in a digital age. The "film manifesto," posted on a crowd-funding website (which raised almost 100,000 euros), states:

> The risk we're taking is crazy. But we believe there is a community of people in Europe and around the Mediterranean who hope, like us, that one day this sea will stop swallowing up the lives of its travellers and go back to being a sea of peace, where all are free to travel and where human beings are no longer divided up into legal and illegal.[41]

Distinctions between legal and illegal are interrogated throughout. The film is not merely interested in staging the evasion of the law but in questioning law's ethics. Centrally, it is made very clear that the risk of prosecution is borne by the European citizens, not by the asylum seekers: it is a crime to traffic, but not to be trafficked. Not only does this situation instantiate the rightless "innocence" Hannah Arendt perceived as part of the subjugation of persecuted noncitizens ("[i]nnocence, in the sense of complete lack of responsibility, was the mark of their rightlessness as it was the seal of their loss of political status"[42]), but we see through the film that it can militate against forms of radical hospitality.

The costumed body of the "bride," Palestinian activist Tasnim Fared, is the most visibly elaborate, gendered image of the ploy to get the group across European borders. For the filmmakers, the bride was the central embodied iconography; co-director Gabriele del Grande gives an insight into the rationale in a piece on the film written for *Al Jazeera*, with remarks like, "[t]he police would never check a bride's documents!" and "[i]t was deadly serious, yet the dream of the bride was stronger than any second thoughts we had."[43] Fared's costume, a full-length white gown, connotes a traditionally patriarchal arrangement and determines capacities of her movement and interaction. This is particularly apparent in the sequence in which the group crosses the Grimaldi Superiore. If unimpeded border crossing is supposedly ensured by the semantics of her bridal costume, Fared's own ability to walk with ease over the hill crossing is curtailed; she sometimes requires assistance from men, who hold her dress, or piggyback her. At the same time, Fared inhabits the costume with an air of casualness and it becomes visibly crumpled and disheveled over the course of the film, and at one point she changes into sturdy boots. The effect is a cumulative and subtle undermining of the bridal semiotics upon which the whole escapade is based. To a large extent, the conceit of "passing" as a bridal party manifests as an aesthetic and narrative device within the documentary as much as it does a necessity for illicit border crossings. Certainly, the participants' bridal

party disguises are not strictly required in scenes where they are shown to be worn during planning in the privacy of a home. It isn't at all clear that the bridal appearance was literally the aesthetic lever that facilitated the group's passage at any particular point of their journey. What the trick does, I would suggest, is informs our reading of the successive border crossings: as a spectator you soon come to recognize that getting through requires some kind of role-playing, or at least, sufficient preparedness for it. The film, therefore, both reveals *and* creates the conditions for its vision of a "transnational, supportive and irreverent Europe that ridicules the laws and restrictions of the Fortress in a kind of masquerade."

Here it is worth remembering that a border (whether political, geographical or social) comes into use, or is activated, only when an attempted border-crosser appears and encounters its authoritarian logic. Sophie Nield articulates this lucidly in terms of what she calls the "border machine" of immigration controls, which, by disaggregating the body from its representation in the form of identity documentation, "creates the condition of being 'beside oneself,' life disaggregated into presence and its proof. The machine of appearance demands that we perform ourselves before the law, in that no-man's land on the border between the body and its representation."[44] In the film, European borders materialize as sites in which the hyper-heteronormative performativity of the white wedding is a cultural code for unimpeded passage. To return to Nield's terminology, this is an aggregation of bodies and representations, only here the appearance of a wedding is intended to forestall the need to negotiate the law's "border machine" (it is worth reflecting on the likelihood that the appearance in recent months of fences and stricter border controls across the EU's Schengen Area may mean that attempts at socially compelled forestalling of the border machine would fail if they were attempted today). Following Kate Hepworth, if we seek to understand "'irregularisation' as those processes whereby one's presence within the nation is questioned or rendered illegitimate,"[45] and not merely as the legal status "undocumented," we can understand the film as documenting a momentary regularization through masquerade.

The irreverent qualities of *On the Bride's Side*, and in particular, Fared's ambivalent bridal comportment, mean that the border's heteronormativity is slyly challenged in the film, if not exactly queered. Beyond the film itself, the filmmakers' invitation to audiences at the 2014 Venice Film Festival to attend the screening in bridal dresses calls for analyses beyond this paper's scope of the gendered performances associated with the film's reception. This Festival event was attended by the film's co-directors and several participants, including the refugees (three of whom have obtained asylum in Sweden, while two were returned to Italy under the Dublin II regulation), and the online availability of numerous smiling photographs from the event seem to speak to a mechanism of immunity from prosecution relating to the "trafficking" through hyper-visibility. In a climate where EU immigration jurisdictions actively seek to identify "sham marriages" or "protective marriages" (and where in the UK, both sham and genuine marriages have been interrupted pre- or mid-ceremony by border enforcement[46]), the flippancy of *On the Bride's Side*'s highly visible "bogus" wedding party and the celebratory optics of its Venice Festival screening seem particularly sharp. Certainly, the film's escapade was bold in testing out the sociality of the view that no one would bother a wedding party.

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Both *Nine Lives* and *On the Bride's Side* are concerned with how performances of intimate selves come into conjunction with, and are required by, oppressive and suspicious border regimes. In different ways, they also underscore the border's heteronormative aspect as far as culture and topography are concerned. The European social networks, legal frameworks, and regionalities imaged in the play and the film can be

seen to constitute sexualized and gendered "choreographies" of irregular transit and resettlement. As a term that describes the artful design of bodily sequences and appearances (individually or *en masse*), the application of "choreography" to the contexts of forced migration might cast light on the embodied consequences, and the possible "artfulness," of border mechanisms (territorial, political, social, legal, and administrative). Together with its coercive function as political machine, the border can manifest as a space of intense visibility, with asylum seekers required or *deciding* to conceal or reveal, or to undertake masquerades that situate themselves within models of personal life that may be purportedly intrinsic (innate) or presentational (attained). As I have sought to show, the surveilled, arbitrated contexts that generate such performatives mean that they can be ambivalent, at the very least, as embodied leverage that might be recognized as agency. But the sexualized and gendered administration of asylum seeking and irregular movement more generally constitutes an embodied politics into which a play like *Nine Lives* and a film like *On the Bride's Side* intervene, and with which such creative projects dialogue. These works do not simply offer insights into a status quo, but crucially imagine and rehearse new ways in which individuals may inhabit, exhibit, and settle themselves in a Europe that seeks to codify even the most intimate aspects of noncitizens' lives.

Notes

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Bio

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